

SENATE BILL 2813
By McNally

AN ACT to amend Tennessee Code Annotated, Section
39-13-527, relative to the offense of sexual battery
by an authority figure.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-527, is amended by deleting
the section in its entirety and substituting instead the following:

(a) Sexual battery by an authority figure is unlawful sexual contact with a victim
by the defendant or the defendant by a victim accompanied by the following
circumstances:

(1) The victim was, at the time of the offense, thirteen (13) years of age
or older but less than eighteen (18) years of age; or

(2) The victim was, at the time of the offense, mentally defective,
mentally incapacitated or physically helpless, regardless of age; and, either

(A) The defendant was at the time of the offense in a position of
trust, or had supervisory or disciplinary power over the victim by virtue
of the defendant's legal, professional or occupational status and used
such position of trust or power to accomplish the sexual contact; or

(B) The defendant had, at the time of the offense, parental or
custodial authority over the victim and used such authority to
accomplish the sexual contact.

(b) Sexual battery by an authority figure is a Class C felony.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.